



City of Seattle

Gregory J. Nickels, Mayor

**Department of Planning and Development**

D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Project Number:** 3009470

**Applicant:** Arthur Chang of Freiheit & Ho Architects for Gull Industries

**Address:** 1501 First Avenue South

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a six story building with 126,574 sq. ft. of office space and 17,280 sq. ft. retail space (Proposed Bldg. A). Project also includes a seven story building with 143,818 sq. ft. of office space and 21,471 sq. ft. of retail space (Proposed Bldg. B). Parking for 590 vehicles to be provided below, at and above grade.

The following approvals are required:

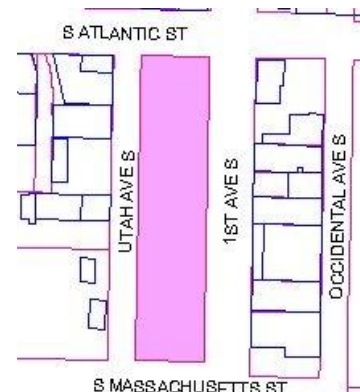
**SEPA - Environmental Determination** - Chapter 25.05, (SMC).

**Design Review** - Chapter 23.41, departures 23.41.012 (SMC).

**SEPA DETERMINATION:** ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS  
☒ DNS with conditions  
☐ DNS involving non-exempt grading, or demolition,  
or another agency with jurisdiction.

**BACKGROUND INFORMATION:**

The site is zoned IC 85 and is located in the Stadium Transition Overlay, between Downtown and the Duwamish Manufacturing Industrial Overlay. The site is a full block, located between Utah Avenue South, 1st Avenue South, South Atlantic Street and South Massachusetts Street. The existing legal nonconforming use is a principal use parking lot for 299 vehicles. The application is for a Master Use Permit with SEPA and Downtown Board Design Review.



The proposal is for a new retail and office building with approximately 293,000 sq. ft. of office located on a site of an existing principal use surface parking lot. The proposal also includes one level of below grade parking and two levels of above grade parking below a portion of the building. The total number of parking stalls would be approximately 590 stalls. The Homeplate parking stalls are an existing use and, according to earlier DPD correspondence, available to supply and use by the project in new project proposals. The project also includes an additional approximately 44,000 square feet of FAR-exempt street level retail or customer service office use.

### AREA DEVELOPMENT

The zone in this area is Industrial Commercial (IC) Zone along with the blocks both north and south. General Industrial 1 (IG1) zone is across Utah Avenue. The area has industrial uses in older buildings and relatively new sports stadiums. The Safeco Field baseball stadium is caddy corner to the NE of this site. The zoning is General Industrial across First Avenue where there is a variety of uses.

### EARLY DESIGN GUIDANCE - November 25, 2008

An early design guidance meeting was held in January 2006 for a building on this same site (MUP 3003306). The early design guidance from that meeting was deemed to be applicable to this project and so was studied by the design team. A second early design guidance meeting was held in November 2008 and additional guidance was given to the architects.

### ARCHITECT'S PRESENTATION

Arthur Chang made the presentation with a description of the site location and physical aspects, zoning and right of way information. The site is a one block site, 660 feet long, at the southwest corner of 1<sup>st</sup> Avenue South and South Atlantic Street. The site is commonly called the Home Plate Site. The zoning is Industrial Commercial with an 85 foot height limit (IC-85) and is in the Stadium Transition Overlay. The proposal is for a new office building and continuation of the exiting principal use parking. Below grade and above grade parking is proposed.

Project design goals include the following:

- To provide flexible office space that is adaptable to multiple business configurations, multiple tenants and changing economic conditions.
- To augment the urban fabric of the area with pedestrian connections and public space that engages the stadium and new developments in the neighborhood.
- To maximize retail space that engages stadium traffic and retail space to support the surrounding area.
- To minimize below grade construction due to the high water table.
- To pursue sustainable design and LEED certification.

Mr. Chang continued to describe the changes of the site since the last MUP submittal of 2006. The I-90 terminus and trucking of the Port freight has, in part, caused Washington State Department of Transportation (WSDOT) to claim a portion of the north end of the site to widen South Atlantic Street. The future tenant configuration has also changed to cause the owners to reconsider the building form and open space forms.

Three massing options were presented to the Board. Option 1 has buildings covering the entire site with stepped multilevel open space along the northern portion of 1<sup>st</sup> Avenue South. Two higher “towers” occupy the north and south of the site. Each building will be about four to five stories high. The buildings are split along a diagonal at the third level.

Option 2 also has two buildings, but the open space is at ground level. The open space plaza is located mid-block along 1<sup>st</sup> Avenue. The north building is setback from 1<sup>st</sup> Avenue to ease the sidewalk crowd pressure. The building heights are similar to Option 1. A large multistory pedestrian passageway bridges the gap between the two buildings.

In Option 3 the pedestrian plaza has been oriented towards the stadium entry in a northeast to southwest direction. A four story bridge connects the two buildings. The shadow studies show that this option has the best open space sun exposure. This option is the designer’s preferred option. The landscape architect provided initial studies to provide a striving landscape design with public art, water, trees, spaces for pedestrian activity and good open space relationships to the retail tenant spaces.

#### **BOARD CLARIFYING QUESTIONS and COMMENTS**

The Board had several use and zoning questions. The Board asked about the retail entries along the diagonal open space. The Board asked for clarification on vehicle access and egress. They also asked for more information on sustainability aspects of the proposal.

#### **PUBLIC COMMENTS**

About eight members of the public attended the meeting. There were several public comments.

- The traffic exiting onto Utah may dump too much traffic on to that street considering the amount of local trucking that currently uses it.
- Industrial flex space may be a good use as well as office space.
- Option 3 appears to be a good form to connect with Utah Avenue, the increased pedestrian traffic on Utah and the new Utah building.
- Public space could be noisy and dusty along Atlantic Street so the open space that creates better seating and a sense of protection from traffic would be best.

#### **BOARD DELIBERATIONS**

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified by letter and number those siting and design guidelines found in the City of Seattle’s “*Design Review: Guidelines for Downtown Development*” of highest priority to this project.

## DESIGN GUIDELINES

These design guidelines are from the first EDG meeting in January 2006. New priority guidelines and additional guidance from the November 25, 2008 meeting is in normal type.

### **A      *Site Planning and Massing. Responding to the larger context.***

#### **A-1      *Respond to the physical environment.***

*Develop an architectural concept and compose the building's massing in response to geographic conditions and patterns of urban form found nearby or beyond the immediate context of the building site.*

*The Board approved of the direction in massing choice and scale as shown in scheme 3 and wanted to see more details at the next meeting. The big, chunky pieces of building are appropriate at this location.*

November 25, 2008. The north and south long façade lines are important facades which will need to articulate a comprehensible language of the block long development and at the same time avoid a relentless façade pattern. Architectural forms that relate to the stadium, the Utah building, solar exposure and retail exposure are expectations to be presented at the next meeting.

#### **A-2      *Enhance the Skyline***

*Design the upper portion of the building to promote visual interest and variety in the downtown skyline.*

*There is an opportunity to create a reasonable and dramatic rooftop feature and/or façade treatment which would create interest at this site.*

November 25, 2008. The long roof line should be explored to add interesting roof references, industrial language and/or a sense of place.

### **B      *Architectural Expression***

#### **B-1      *Respond to the neighborhood context.***

*Develop an architectural concept and compose the major building elements to reinforce desirable urban features existing in the surrounding neighborhood.*

*The corner plaza and its relationship to the building interior and rooftop is an opportunity and should be fully explored at this site. An iconographic image would be appropriate at this site in some form of architectural expression.*

November 25, 2008. Seek an architectural vocabulary which is appropriate to this industrial/stadium district.

**B-2 Create a transition in bulk & scale.**

*Compose the massing of the building to create a transition to the height, bulk, and scale of development in neighboring or nearby less intensive zones.*

*The Board asked the designer to further develop ideas along the lines shown in massing and bulk models presented at this first meeting. The scale and bulk shown in scheme 3 is appropriate for this site, but more design analysis is requested to generate further guidance from the Board. The Board considers the bulk and scale transition to be an issue of on site transition. That is, there should be a transition from pedestrian scale ground floor uses and plazas to the giant parking and office structure above.*

November 25, 2008.

**B-3 Reinforce the positive urban form & architectural attributes of the immediate area.**

Consider the predominant attributes of the immediate neighborhood and reinforce desirable siting patterns, massing arrangements, and streetscape characteristics of nearby development.

Study the dominant forms of the area and present siting patterns, massing and especially streetscape characteristics that should be echoed in this proposal. Again, seek an architectural vocabulary which is appropriate to this industrial/stadium district.

November 25, 2008.

**B-4 Design a well-proportioned & unified building.**

Compose the massing and organize the interior and exterior spaces to create a well-proportioned building that exhibits a coherent architectural concept. Design the architectural elements and finish details to create a unified building, so that all components appear integral to the whole.

**C The Streetscape**

November 25, 2008.

**C-1 Promote pedestrian interaction**

Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should appear safe, welcoming, and open to the general public.

The Board is especially interested in seeing quality open space for gathering and opportunities for enlivening the retail presence. Landscape features should create spaces that vary in size, width and depth.

**C-2 Design Facades of Many Scales.**

*Design and architectural features, fenestration patterns, and materials compositions that refer to the scale of human activities contained within. Building facades should be composed of elements scaled to promote pedestrian comfort, safety, and orientation.*

*On a building of this scale the Board would like to see details of building facades which are scaled to promote pedestrian comfort and which transition to the greater building concept.*

November 25, 2008.

**C-3 Provide active—not blank—facades.**

Buildings should not have large blank walls facing the street, especially near sidewalks.

November 25, 2008.

**C-4 Reinforce building entries.**

Reinforce building entries to promote pedestrian comfort, safety, and orientation. Creative use of overhead weather protection should be presented.

November 25, 2008.

**C-5 Encourage overhead weather protection.**

Project applicants are encouraged to provide continuous, well-lit, overhead weather protection to improve pedestrian comfort and safety along major pedestrian routes.

**D Public Amenities**

***D-1 Provide inviting & usable open space.***

*Design Public open spaces to promote a visually pleasing, safe, and active environment for workers, residents, and visitors. Views and solar access from the principal areas of the open space should be especially emphasized.*

The designer should take advantage of planned open space especially where sun/shade studies show that there may be a sunny spot for public plaza. The Board asks that any second story open space have an obvious invitation, that is, enough doors, seating, and visibility from the sidewalk to encourage the public to use it and to know that it is a public space to enjoy.

November 25, 2008.

**D-2 Enhance the building with landscaping.**

Enhance the building and site with generous landscaping—which includes special pavements, trellises, screen walls, planters, and site furniture, as well as living plant material.

***D-3 Provide elements that define the place.***

*Provide special elements on the facades, within public open spaces, or on the sidewalk to create a distinct, attractive, and memorable “sense of place” associated with the building.*

The northeast corner plaza (and possibly the building, or part of the building) should have interest or be a neighborhood icon.

**D-4 Provide appropriate signage**

*Design signage appropriate for the scale and character of the project and immediate neighborhood. All signs should be oriented to pedestrians and/or persons in vehicles on street within the immediate area.*

The architect should explore a bold, graphic statement.

**D-5 Provide adequate lighting**

*Building-wide the project should provide adequate lighting.*

Lighting should be dramatic, but not tending toward too much light or glare. Lighting should provide a sense of security.

Departure from Development Standards:

Departures from development Standards are not fully articulated at this point in the project development. Possible departures could include setback modulation from First Avenue South and minimum wall height on Utah Avenue South. This may change during the design process and will be explained at the next Design Review Board meeting.

The Master Use Permit application (MUP) was submitted in April 2009.

FIRST RECOMMENDATION MEETING July 28, 2009

A recommendation meeting was held July 28, 2009. The Board asked for further explanation of several aspects of the project and another recommendation meeting was scheduled for August 25, 2009. The notes that follow reflect the conversations of the July 28, 2009 meeting.

Project Team's Presentation

Bill Low, the project's proponent, began with some background information on the reasoning behind the redesign from the earlier Master Use Permit (MUP Application #3003306). The current design is result of several factors including: WSDOT taking the northerly 24 feet of land along Atlantic Street, 2) the changing market conditions which warranted constructing the project in phases, 3) the loss of a single user. The previous design was more conducive to a single tenant use. It was deemed necessary to redesign the project to accommodate multiple users.

Arthur Chang, Principal Architect, followed next by providing background information from the EDG meeting for the new Board members. The current design presented was a progression of Option 3 from the EDG meeting, which was the Board's favored massing option. The architect reviewed the immediate and historical context of the site, a transitional area where one can find different kinds of designs, architectural vocabularies, as well as a range of uses from industrial to recreational to class A office.

The design goal is to create a clean modern office and retail building with a pleasant pedestrian experience. The proposal is to have the multistory office structures over parking. One level of underground parking is proposed and two stories of parking at and above grade in the south building and one level of parking at grade in the north building. The project is using a

grandfathered parking determination from the last MUP project proposal to provide more than code allowed parking. The parking on the upper floors of Building 2 will be open, but screened. A green screen will be used to screen ground level parking on Utah Avenue. Exposed concrete slab edges will break up the storefront on the upper levels giving it a somewhat weightier look. Small tower elements are proposed on the north and the south of the block as well as interior to the plaza. The plaza elements signify the building entries and vertical circulation. There are several areas where upper level outdoor plazas are proposed adjacent offices. These small plazas will be landscaped. Materials at the lower floors are proposed to be brick with clear storefront. The upper floors of both buildings are proposed to be colored and tinted glazing as well as spandrel panels running through the green-blue spectrum.

Central to the design is the mid-block plaza. Pulling the plaza southward toward the mid-block point allows for a high quality gathering space by separating the plaza from the heavy truck traffic along S. Atlantic Street, by breaking up the building massing, and providing retail on the plaza. There is a strong diagonal axis through the plaza leading to the Home Plate entrance to Safeco Field. On either side of this axis, fully glazed tower elements call out the main entries to each building. Public art, landscaping, and water features shape the proposed plaza space. The edges of the plaza will be activated by restaurant and retail uses. Awnings at the 1<sup>st</sup> Avenue facade are proposed to help create a pedestrian scale at the sidewalk level. The plaza will be populated with foot traffic from the proposed new office spaces at Home Plate and from the adjacent Stadium Technology Center across Utah and from event crowds. The plaza includes an area that is a small waterfall garden.

Ray Robinson, Principal Landscape Architect, continued by presenting the features incorporated into the plaza and other areas open to the public. Discussed first was the sidewalk area at the corner of South Atlantic Street and First Avenue South. This area was designed to be generously wide to accommodate the anticipated crowds that would be coming and going from sporting events. Secondly, the designs of each of the rights-of-way were presented as follows:

- Atlantic and Massachusetts will receive columnar street trees at 25 feet on center and aligned with the buildings' columns. Each of the trees will include 5 foot square tree pits with an assortment of low water-use shrubs and groundcovers. The sidewalk will be cast-in-place concrete with decorative banding that also aligns with the buildings' columns;

- Utah will also receive columnar trees at 25 feet on center that align with the buildings' columns. The trees will be placed in a planting strip with an assortment of low water-use shrubs and groundcover. The sidewalk will receive similar treatment as Atlantic and Massachusetts.

- First Avenue will receive all the features of Atlantic and Massachusetts with the exception of the right-of-way located immediately in front of the main plaza area. This portion of the right-of-way is proposed as a drop-off area / loading zone and is proposed to not include street trees. Instead, decorative bollards are proposed at a tighter spacing. The decorative concrete banding proposed for all other rights-of-way will only be omitted immediately in front of the plaza.



The main plaza was described as a large gathering space with dramatic site sculptures that are combined with water features. Linearly oriented decorative pedestal set paving, seat walls and plantings are proposed to accent the axial view of Safeco Field to the northeast from the esplanades located in the plaza. A simple planting palette that features timber bamboo as the large primary planting was proposed. Also discussed was access to event parking which is accessed from the plaza's main esplanade for Building 1 and from the sidewalk along First Avenue in Building 2. Dining courts are proposed immediately adjacent to the anticipated restaurants and cafes along the retail frontage.

The proposed waterfall court located just to the west of the main plaza and adjacent to Utah Avenue, was described as a more contemplative space, a little removed from the main gathering space of the main plaza. This area focused on a 4-story waterfall feature that is on axis with a view towards Safeco Field. This area may have other elements such as a terraced shade and rain garden, smaller seating areas and a decorative fence and gate off of Utah Avenue.

Lastly, the phasing of the plaza was described briefly where the majority of the main plaza would be constructed as part of the first phase because the water features and site sculptures are an important and integral part of the overall design. The first phase would maintain the southern half of the existing surface parking lot and the existing driveways. In addition, a drop-off lane is proposed to ease possible congestion during sporting events. Additional plantings were also proposed as a transition between the existing parking lot and the new plaza.

#### Board Clarifying Questions and Discussion

*Concern was expressed by board members that there is little brick on the building.* The architect pointed out where there is proposed brick.

*The board members expressed concern about the size of the plaza in that it may be too large.* The plaza will serve as a gathering space for significant numbers of people who work in the office portions of the project during business hours and before, during and after events at the adjoining stadiums. The FAR requirements in this transition zone essentially limit the amount of square footage that can be built on the site. Therefore, there is resultant open space.

*What are the canopy materials?* Canopies are glass and steel along 1<sup>st</sup> Avenue and only steel adjacent to the other streets.

*What are the uses in the adjacent Stadium Technology Center on Utah?* The uses are retail, restaurant, office, and light manufacturing.

*Clarify the treatment of above grade parking.* Parking along 1<sup>st</sup> Avenue will be open but screened to a certain height. Cars will not be visible to pedestrians. Parking within the building along Utah Avenue will be fully screened with vine-covered mesh or a "green wall."

*What is the reasoning behind the plaza design and the on-site drop off in the Phase 1 development plan? Wouldn't the plaza elements/water feature be in the way in Phase 2?* The plaza is phased along a below grade construction joint and anything constructed to the south of this joint would become an obstacle during Phase 2 construction. The southernmost water feature and other plaza elements will be required to be dismantled and reconstructed when starting phase 2, but it is important enough to the character of the plaza that it must be included in Phase 1 to maintain the integrity of the plaza design.

*Steps shown at Utah Avenue plaza entrance would not meet ADA requirements.* This will be worked out as the design progresses.

*What sustainable features will be incorporated in to the building?* Using geothermal heating had been explored, but the cost was prohibitive. Use of photovoltaic on the rooftop is being considered now. Water features will be supplied by water collected and stored in the rainwater drainage system thereby reducing water consumption. Most of the points that are being pursued are not necessarily visible on the exterior, but the project will be pursuing LEED Gold Certification.

*Board members expressed concern for the potential for homeless and vagrants loitering in the plaza.* The applicant is keenly aware of the homeless problem in the area and is prepared to provide security and patrols to mitigate the potential problem. Also, a security fence and gate is proposed to secure the Utah Avenue side of the plaza during hours when there is no business or event activity. The fence materials and design will be open in nature to enable surveillance from both Utah Avenue and the plaza area.

#### Public Comment

Comment was received from one member of the public. Greg Steinhauer of American Life, the developer of the neighboring Stadium Technology Center, commented that he was in favor of the Home Plate Center development as it was presented at this meeting.

#### Board Deliberations

During the Board's deliberation, members were pleased to see the progress the design team had made since the EDG. In particular, Board members praised the design team for a very detailed response to items raised at the EDG meeting. The Board commended the applicant on relating to the context and developing on a challenging site. Board members also liked the diagonal axis of the plaza. The inclusion of public artwork in the design also received commendation.

Some members of the Board had questions about the parking and screening for the above-grade parking levels in Building 2. Many of these concerns were eased as the architect presented further detail about the method and locations of screening. A Board member also suggested that temporary screening could be used to separate the plaza from the on-grade parking during Phase 1, but as discussion went on about this between the Board members, no further direction was requested by the Board.

Overall, the Board was quite pleased with the massing and overall feel of the design. The design was commended for how it dealt with the volume of this long block and delivering a strong emphasis on the horizontal. They stated that they were happy with that portion of the design and no further development was needed.

It was suggested that a balcony be introduced on Building 1 facing the plaza to help activate the space.

The Board raised a few points of concern related to the façade and material choices and requested that an alternative or two be explored. While the Board liked the clean and modern feel of the upper stories the Board suggested tweaking this portion of the façade to be a little bit less suburban in appearance. They suggested using bolder, more contrasting colors and/or materials or increasing the impression of moving or sliding forms along the façade.

The plaza received quite a bit of attention from the Board. Some Board members initially had concerns about the large scale of the plaza but through deliberation they became comfortable with the size. The Board generally expressed a positive feeling for the sliding or interlocking hardscape plaza elements, however the Board requested to see more detail regarding the three dimensional appearance of these elements and their features. As mentioned before, the diagonal axis of the plaza from Safeco Field was universally regarded as a very positive feature by the Board. At the west side of the plaza there is a large waterfall feature and a narrower portion of the plaza leading to a proposed mid-block crossing to connect to the adjacent Stadium Technology Center across Utah Avenue. This space has a different character than the main plaza and the Board expressed some concern about this space and would like to see more information about this area to better understand its character. It was also suggested by some Board members that the waterfall feature be removed and the money be better spent elsewhere in the main plaza. Some Board members felt that the west side of the plaza should be more integrated thematically with the main plaza area. A Board member questioned the purpose of the proposed gate off of Utah Avenue. The Board member felt this would not be helpful to the usability and quality of the space. The Board was interested to see the phase one site plan to understand that it would be in keeping with the Board's review.

After lively deliberation the Board asked the designers to come back to another design review board meeting. They recommended that the designers bring back studies and proposals for several elements of the proposed design: The plaza design, the façade treatment, and phase one site plan.

#### FINAL RECOMMENDATION MEETING – August 25, 2009

##### Project Team's Presentation

The project team briefed the Board on the focus items for the evening's presentation. At the previous meeting the Board asked to see more information on the Phase 1 plan, the plaza design and façade materials update. Arthur Chang presented the materials boards and the latest iterations of the façade colors and materials. The materials include more colors than the initial presentation and some slightly contrasting colors, metal, and concrete. The plaza design has a larger plaza area fronting 1<sup>st</sup> Avenue and a smaller plaza near Utah Avenue. The smaller plaza has a direct indoor and outdoor relationship and can be secured as a function space apart from the larger plaza. The design includes water features; water walls, weirs, pools and interactive water features throughout both plazas. Other landscape features are proposed to include site furniture, art installations, decorative paving and plants. The phase 1 stand alone plan was distributed to the Board and describe by the landscape architect. The phase one will include Building 1, the north building, most of the plaza and temporary planting and paving south of the demising line.

The applicant also asked for support from the Board and DPD with SDOT's approval, a midblock crossing on Utah which would help pedestrians who work in the Stadium Technology Building access the plaza opening. Planner note: The Board does not make design decisions for development in the right of way, but can make recommendations and voice their support for design proposals that SDOT will review.

### Design Departure Matrix

The applicant asked the Board to consider the following development departures.

	<i>Development Standard</i>	<i>Required</i>	<i>Proposed</i>	<i>Departure amount</i>	<i>Board action</i>
1	SMC 23.74.010C1b	Building façade to be within two feet of street property line.	Varying setbacks at the plazas and façade modulation.	Variable.	The Board recommends granting this departure.
2	SMC 23.50.016.A	Street trees are required along 1 <sup>st</sup> Avenue.	Some street trees are proposed to be omitted along 1 <sup>st</sup> Avenue.	About 13 trees are proposed to be omitted.	The Board <u>does not</u> recommend this departure.
3	SMC 23.74.010.C.5	Principal pedestrian entrance is to be on 1 <sup>st</sup> Avenue.	Some entrances to be off of the plaza.	Some entrances on 1 <sup>st</sup> Avenue some off of the plaza.	The Board recommends granting this departure.
4	23.54.030.G.2	Site triangles required.	Reduced or no site triangles.	Reduced or no site triangles.	The Board recommends granting this departure with the recommendation that audible warnings not be used.

### Board Clarifying Questions and Initial Comments

The Board asked clarifying questions of the design team which included the following:

- If one is northbound what is the walking path into the plaza and the building lobbies?
- How does the water wall and the proposed fence and gate intersect?
- How will the ponds be designed to be attractive in times when the water is off?
- How will the light well to the parking entry under Building 1 be recognizable from the plaza? There should be planting, lighting, a canopy and or other architectural cues to signify the entry.
- The Board asked about detailing in the plaza at the light well and commented that detailing at the post and beam connections, water features, paving and site furniture is not depicted in the proposal, but is of paramount importance for the proposal.

### Public Comments

There were no comments from the public.

### Board Deliberation and Recommendation

The Board discussed the salient issues beginning with the façade materials and colors. The Board appreciated the additional color choices and reiterated their support of the architectural references to shipping containers--colors and unitized concept. They noted that the containers are highly attractive in their repetitive units and random colorization in each port side container stack. This concept is beginning to show on the façade of this building, but the color and material choices still need to be enhanced and be more colorful, in well designed classic building façade units. The color palette needs to be stronger and the unitization refined.

The Board discussed the plaza improvements and, in general, approved the direction of design development. The Board expressed interest and concern for the details of the plaza. The full menu of landscape elements should be organized and interrelated to define and support the plaza uses and pedestrian gathering and wayfinding. All elements should be very well detailed from a pedestrian point of view. Wall heights, materials and plant choices should function as transparent, semi transparent or screening in a thoughtful and cohesive whole for the plaza's varied uses. The intentional plaza forms and uses should be reinforced and communicated with the design materials. Currently the linear aspects of the design appear to disrupt the uses and appear to be out of step with the plaza functions.

The Board approved the phase one plan and supports efforts to secure a mid block pedestrian crossing on Utah.

After considering the proposed design and the project context, hearing public comment, and reviewing the design priorities, the Board feels that the guidance has been addressed by the applicant. The Board recommends conditional approval of departure requests 1, 3 and 4. The Board does not recommend approval of departure request number 2.

Design Review conditions of the MUP decision should include the following unless they are fully addressed by the design team in advance of the publication of the director's decision:

1. Provide the DPD planner a detailed façade materials and color proposal that is more colorful and textural to reflect the port shipping container context while proposing a sophisticated and classic composition.
2. Provide the DPD planner plaza design and details to effectively communicate uses, design intentions, entries, exits and gathering spaces, including the plaza garage entry sequence and lighting.
3. Provide a lighting, signage and illumination plan for planner review.
4. Provide the DPD planner site triangle mitigation, which does not use audible warnings.

### **ANALYSIS AND DECISION - DESIGN REVIEW**

The Board gave early design guidance, responded to the architect's response at the recommendation meetings, gave additional direction focused on several salient aspects of the design, and reviewed the final proposal. The Board carefully weighed the departure requests against the early design guidance given to the applicant to understand how the departures would help the project better meet the intent of the priority guidance given by the board (SMC 23.41.012). The Board recommended approval of the design to the director with some conditions. They also recommended approval of three development departures.

Departure 1 listed in the matrix above meets priority guidelines A-1, A-2, B-1, B-2, B-4. The request is to vary the location of the building façade rather than to strictly adhere to the code specification. The code specification is to have the building façade within two feet of the property line. The proposal varied the façade location especially where the plaza is located.

The departure request helps the project better meet the intent of the guidelines in that there is more response to site conditions (A-1); that the building acknowledges and reinforces the spatial characteristics of the right of way (A-2); the building forms respond to the neighborhood context (B-1), and the forms held create a transition in bulk and scale (B-2).

Departure 2, a departure request to omit some street trees was denied a recommendation by the Board.

Departure 3 is a departure request to allow a principal pedestrian entrance off of the plaza and not off of the 1<sup>st</sup> Avenue façade. The request helps the project better meet early design guidance, C-1, Promote pedestrian interaction, C-3, Provide active facades and C-4, and reinforce building entries. The proposed plaza element will provide a gathering place for pedestrians and building tenants. Entries will help activate the plaza and will be more protected from the traffic noise on 1<sup>st</sup> Avenue.

Departure 4, a site triangle departure, is recommended to be granted. The departure request helps the project better meet design guidance, B-4, design a well-proportioned and unified building, A-1, respond to the physical environment, and C-2, design facades of many scales.

The Director of DPD has reviewed the recommendations of the Design Review Board and finds that they are consistent with the City of Seattle Design Review *Guidelines for Downtown Development* and that the development standard departures present an improved design solution, better meeting the intent of the Design Guidelines, than would be obtained through strict application of the Seattle Land Use Code. Therefore, the Director **approves** the proposed design as presented in the official plan sets on file with DPD, and as conditioned below. The design as presented at the design review board meeting and the recommended **development standard departures** 1, 3, and 4 are approved. The departure request to limit street trees, request number two (2), is **denied**.

### **ANALYSIS - SEPA**

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC25.05.665) mitigation can be considered. Thus a more detailed discussion of some of the impacts is appropriate.

### Short-term Impacts

The following temporary or construction-related impacts are expected: 1) temporary soil erosion; 2) decreased air quality due to increased dust and other suspended air particulates during excavation and construction; 3) increased noise and vibration from construction operations and equipment; 4) increased traffic and parking demand from construction personnel; 5) blockage of streets by construction vehicles/activities; 6) conflict with normal pedestrian movement adjacent to the site; and 7) consumption of renewable and non-renewable resources. These impacts are not considered significant because they are temporary and/or minor in scope (Section 25.05.794, SMC). Although not significant, the impacts are adverse and certain mitigation measures are appropriate as specified below.

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically, these are: 1) Street Use Ordinance (watering streets to suppress dust, obstruction of the pedestrian right-of-way during construction, construction along the street right-of-way); 2) Building Code (construction measures in general); and 3) Stormwater, Drainage and Grading Code (temporary soil erosion). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts.

### Traffic and Parking

A Construction Transportation Management Plan should be prepared prior to issuance of the building permit. This plan should document street use during construction including lane and sidewalk closures, show proposed construction haul routes and document where construction workers will park prior to the garage being complete.

### Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

### Construction Noise

The limitations of the Noise Ordinance are likely to be adequate to mitigate potential noise impacts.

### Long-term Impacts

Potential long-term impacts that may occur as a result of this project include: 1) increased surface water runoff from greater site coverage by impervious surfaces; 2) increased bulk and scale on the site; 3) increased traffic and parking demand due to additional employees and visitors with the proposed uses; 4) minor increase in airborne emissions resulting from additional traffic; 5) minor increase in ambient noise due to increased human activity; 6) increased demand on public services and utilities; 7) increased light and glare; and 8) increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope. However more information regarding the expected traffic volumes warrants more analysis.

The long-term impacts are typical of this type of development and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (storm water runoff from additional site coverage by impervious surface); Land Use Code (aesthetic impacts, height, setbacks, parking); and the Seattle Energy Code (long-term energy consumption).

The other impacts not noted here as mitigated by codes or conditions (increased ambient noise; increased demand on public services and utilities; increased airborne emissions; increased light and glare) are not sufficiently adverse to warrant further mitigation by condition.

### Traffic and Transportation Impacts

A Transportation Impact Analysis for this project was prepared by Heffron Transportation, Inc. in March of 2006. The roadway network surrounding this site is a dynamic network that links shipping to statewide transportation systems. For a complete description please refer to the study. 1st Avenue South connects downtown Seattle to State Route 509 (SR-509) and SR-99 at the Duwamish River. Parking on both sides of 1<sup>st</sup> Avenue South is often restricted during events at Safeco Field and Qwest Field. 1<sup>st</sup> Avenue South has curbs, gutters, and paved sidewalks on both sides of the street. South Royal Brougham Way vehicular traffic is frequently delayed by trains at train crossings. The tracks are in the process of being relocated to the west side of Alaskan Way as part of the SR-519 Surface Street Improvements project. South Atlantic Street has been renamed Edgar Martinez Drive between 1<sup>st</sup> Avenue South and the single point urban interchange to the east. This street becomes an eastbound-only on-ramp to Interstates 5 and 90. Adjacent to the site, South Atlantic Street has recently been widened with additional eastbound and westbound lanes.

South Massachusetts Street along the site's south boundary is classified as an access street. The roadway is wide and without full delineation. Vehicles parallel park on the shoulder area and on the south side of the street. Utah Avenue south is a two-lane local access street on the west side of the project site. There are no curbs, gutters, sidewalks, or walkways for pedestrians along most of the street's length.

A 2009 Updated Transportation Impact Analysis was prepared by Heffron Transportation, Inc. Construction of two major highway improvements in the area will result in changes to the future traffic flows, roadways and intersections. Most intersections would operate at LOS E or better. Northbound right turn from Utah Ave S to S Atlantic Street would be the poorest intersection at level LOS F. The site access points would operate at LOS C or better during peak hours. The traffic analysis assumed that access on to 1<sup>st</sup> Avenue S would be restricted to right-in and right-out traffic movements.



The study reviewed signal warrants and states that the addition of project traffic would not increase the hours that the peak hour warrant is met, nor trigger any of the other warrants. Therefore a signal at 1<sup>st</sup> Avenue S and S Massachusetts Street is not proposed.

Event management is organized by the City of Seattle. The City has specific traffic and parking detour/closure plans for pre- and post-game times. These are coordinated with the Seattle Police Department. The City takes the lead on placing directional signage; officers are stationed at key intersections before, during, and after games. The personnel per intersection vary by proximity to the stadiums and detour complexities.

The project would improve the sidewalks adjacent to the site, provide pedestrian plazas at the northeast and southeast corners of the site to accommodate pedestrian surges before and after events, and reduce the number of driveways from eight to three. All of these changes would improve the pedestrian environment in the site vicinity. No adverse impacts to the non-motorized facilities in the project vicinity would occur as a result of the project.

The peak parking for the office use is expected to occur mid-morning, while the peak demand for the restaurant use would occur in the evening. This means that the parking for these uses can be shared. The total parking supply of 590 spaces would accommodate the project's demand, and no off-site parking impacts are expected.

To reduce the project's trip generation and minimize potential traffic impacts, the project will implement a Transportation Management Program (TMP). It will be consistent with Director's Rule 19-2008. The elements of the TMP will include all required elements as identified in the Director's Rule, and will emphasize reducing the availability of long-term parking on the site. To that end, the TMP shall include a requirement that all principle-use parking shall be short-term (4 hours or less) only during non-holiday weekdays between 7 AM and 4 PM.

The shift from unrestricted to short-term principle-use parking for a portion of the site's parking supply on weekdays between 7 AM and 4PM is expected to reduce peak hour trips. Short-term spaces typically would be used for discretionary trips, which may be scheduled to avoid peak traffic times. Unrestricted spaces are more likely to be used by persons working a standard daytime schedule, arriving during the morning peak hour and departing during the afternoon peak. Shifting spaces from unrestricted to short-term is expected to shift trips using principal-use parking out of the peak hours, thereby reducing the project's transportation impacts.

The traffic analysis assumed a single-occupant vehicle (SOV) rate of 66%, which is typical of other businesses in the vicinity of the site. Trip reduction goals have been established for different areas of the City to comply with the State of Washington's Commute Trip Reduction (CTR) law. The long-term SOV goal for this area of Seattle is a maximum of 57% SOV travel. The SOV goal for the TMP also will be 57%, to be achieved within four years. It is expected that the removal of long-term principal-use parking spaces on weekdays between 7 AM and 4 PM will encourage a shift in travel modes away from single-occupant auto, supporting this TMP goal.

For Phase 1, the plan sets identify the number of accessory parking spaces as 224, the maximum allowed. The project is proposing 248 spaces for Phase 1. The remaining 24 spaces will be short-term principal-use parking.

At full build-out, the project is proposing 590 parking spaces. The maximum allowed accessory parking supply will be 475 spaces. The remaining 115 spaces will be short-term principal-use parking.

### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

### Height, Bulk and Scale

Section 25.05.675G2c of the Seattle SEPA Ordinance provides the following: "The Citywide Design Guidelines (and any council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project."

There are no sensitive height, bulk or scale impact issues which have not been addressed during the Design Review process in the design of this project. Therefore, no additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

### **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (C).
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

## **CONDITIONS – DESIGN REVIEW**

### **Prior to Building Permit Issuance**

1. Provide notes for DPD review on the MUP plans for a “pedestrian safety plan” at the vehicle garage entries. Mirrors, lights, stop signs, and changes in paving should be considered. Provide the DPD planner site triangle mitigation, which does not use audible warnings.
2. Provide the DPD planner a detailed façade materials and color proposal that is more colorful and textural to reflect the port shipping container context while proposing a sophisticated and classic composition.
3. Provide the DPD planner with refined plaza design and details to effectively communicate uses, design intentions, entries, exits and gathering spaces, including the plaza garage entry sequence and lighting.
4. Provide a lighting, signage and illumination plan for planner review.
5. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings and embed the colored MUP recommendation drawings in the building permit plan sets.

### **For the Life of the Project**

6. Landscaping shall be hardy and attractive with low maintenance and low water usage choices. Use native plants as much as possible. All landscaping areas shall be irrigated.
7. The building style and materials are to remain the same as shown in the recommendation packet and the MUP plans and these conditions, through the construction and building phase. If there are changes then the architect must contact the land use planner (Holly Godard at 615-1254) in advance to discuss the proposed changes.
8. Any substantial changes to key design review features already approved for this project-- to the exterior of the building or the site-- or must be submitted to DPD for review and approved by the Land Use Planner (Holly Godard 206-615-1254).
9. Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

10. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Holly Godard 206-615-1254), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least three working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

## **CONDITIONS – SEPA**

### **Prior to Issuance of Building Permits**

11. A Transportation Management Plan shall be prepared and submitted to DPD. It shall be consistent with Director's Rule 19-2008. The project site is located in the Duwamish worksite zone. The base year goal for this zone is 66% of the trips by SOV, which would apply to this Project upon opening. This percentage must gradually decrease over a 4-year period; with an ultimate goal of 57% SOV travel in four years. The elements of the TMP will include all required elements as identified in the Director's Rule, and will emphasize reducing the availability of long-term parking on the site. To that end, the TMP shall include a requirement that all principal-use parking shall be short-term (4 hours or less) only during non-holiday weekdays between 7 AM and 4 PM. The TMP will address the full build out of both building A and building B.
12. Make a note on the plan sets that all principal-use parking shall be short-term only (4 hours or less) only during non-holiday weekdays between 7 AM and 4 PM.
13. Make a note on the plans to show which parking spaces are for accessory parking and which are to be principal use parking.
14. A Construction Transportation Management Plan shall be prepared prior to issuance of the building permit. This plan shall document street use during construction including lane and sidewalk closures, show proposed construction haul routes and document where construction workers will park prior to the garage being complete.

### **For the Life of the Project**

15. The Transportation Management Plan prepared and submitted to DPD shall run with the project. The elements of the TMP will include all required elements as identified in the Director's Rule 19-2008, and will emphasize reducing the availability of long-term parking on the site. To that end, the TMP shall include a requirement that all principal-use parking shall be short-term (4 hours or less) only during non-holiday weekdays between 7 AM and 4 PM. The TMP will address the full build out of both building A and building B.
16. All principal-use parking on-site shall be short-term only (4 hours or less) only during non-holiday weekdays between 7 AM and 4 PM.

17. Accessory parking and principal use parking shall be identified.

*Prior to Building Final*

18. Install appropriate signage at driveways on 1<sup>st</sup> Avenue South that restricts access to right-in and right-out only.

19. Coordinate with the Seattle Department of Transportation (SDOT) to determine whether physical barriers, such as C-curbs, should be installed to prevent left turns into and out of the site; fund installation of barriers if determined by SDOT to be necessary.

Signature: (signature on file)  
Holly J. Godard, Land Use Planner  
Department of Planning and Development

Date: December 3, 2009